

SMITH), the Senator from Utah (Mr. ROMNEY), and the Senator from Mississippi (Mr. WICKER).

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 231 Leg.]

#### YEAS—52

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Graham	Ossoff	
Hassan	Padilla	

#### NAYS—43

Barrasso	Grassley	Risch
Blackburn	Hagerty	Rounds
Blunt	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Moran	Young
Ernst	Paul	
Fischer	Portman	

#### NOT VOTING—5

Daines	Romney	Wicker
Hyde-Smith	Sanders	

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 52, the nays 43.

The motion was agreed to.

#### NOMINATION OF ANA ISABEL DE ALBA

Mr. DURBIN. Mr. President, this work period, the Senate will continue to confirm highly qualified, diverse nominees to the Federal judiciary.

First on the list is Judge Ana Isabel de Alba, who has been nominated to the U.S. District Court for the Eastern District of California.

A San Joaquin Valley native, Judge de Alba has served as a Superior Court Judge for Fresno County, CA, since 2018. She has presided over thousands of hearings and more than seven bench trials before the court's Criminal Misdemeanor Division, the Juvenile Justice Division, and the Environmental Quality Act Panel.

Prior to her judicial service, Judge de Alba practiced for 11 years at a Fresno-area law firm, where she became partner in just 5 years and specialized in business, employment, construction, and personal injury law. In addition to her expansive litigation practice before California State courts, Judge de Alba handled many administrative law trials before a State agency as well as a Federal jury trial.

Judge de Alba earned her B.A. with highest honors and her J.D. from the University of California at Berkeley.

The American Bar Association has unanimously rated Judge de Alba as "Qualified" to serve on the Eastern

District of California, and she also has received the strong support of her home State Senators, Mrs. FEINSTEIN and Mr. PADILLA.

With her record of fair-minded judicial service and years of litigation experience, Judge de Alba will serve her home district well as a Federal district court judge.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to executive session.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ana Isabel de Alba, of California, to be United States District Judge for the Eastern District of California.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 919, Mary T. Boyle, of Maryland, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2018.

Charles E. Schumer, Richard Blumenthal, Christopher A. Coons, Richard J. Durbin, Jeanne Shaheen, Catherine Cortez Masto, Margaret Wood Hassan, Jack Reed, Jacky Rosen, Benjamin L. Cardin, Amy Klobuchar, Ron Wyden, Debbie Stabenow, Jeff Merkley, Michael F. Bennet, Christopher Murphy, Edward J. Markey.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Mary T. Boyle, of Maryland, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2018, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Montana (Mr. DAINES), the Senator from Mississippi (Mrs. HYDE-SMITH), and the Senator from Mississippi (Mr. WICKER).

The yeas and nays resulted—yeas 49, nays 47, as follows:

[Rollcall Vote No. 232 Ex.]

#### YEAS—49

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

#### NAYS—47

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Collins	Lankford	Shelby
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tillis
Crapo	McConnell	Toomey
Cruz	Moran	Tuberville
Ernst	Murkowski	Young
Fischer	Paul	

#### NOT VOTING—4

Daines	Warnock
Hyde-Smith	Wicker

The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote, the yeas are 49, the nays are 47.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Mary T. Boyle, of Maryland, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2018.

The PRESIDING OFFICER. The majority leader is recognized.

#### MOTION TO DISCHARGE

Mr. SCHUMER. Mr. President, as we await completion of the gun safety bill, today, the Senate is taking another important step to protect communities from gun violence, moving forward with the nomination of Steven Dettelbach, to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

In a few moments, I will move to discharge Mr. Dettelbach's nomination from the Judiciary Committee. After that, I am going to make sure his nomination moves through this Chamber rapidly.

The bipartisan gun safety legislation currently being negotiated is crucially important but so is having a fully staffed ATF. And my colleagues, listen to this: We haven't had a Director of ATF since 2015. Gun violence is ripping through the Nation, killing so many, and we still don't have a Director of ATF. That is just outrageous, at a time when we need one more than ever.

At a time when Americans are sick and tired of our country's gun violence epidemic, we should be sprinting—sprinting—to confirm someone whose job would be precisely to keep Americans safe from gun violence, and that is exactly what the new ATF Director will do.

The ATF may not always capture the spotlight, but it is vital in stopping gun trafficking, in preventing illegal possession of firearms, and making sure our kids can't get their hands on dangerous weapons.

It is still so confounding to realize we haven't had somebody there because people have blocked it since 2015. An organization as important as the ATF absolutely needs to have a Senate-confirmed Director in place, and though we haven't had one in 7 years, we are going to change that very, very soon.

Having a strong, qualified nomination like Dettelbach will certainly help reduce the scourge of gun violence in the country.

So, once again, after I move to discharge Mr. Dettelbach, I am going to make sure his nomination moves rapidly through this Chamber. We need to fill this vacancy that has been blocked by the other side far too often.

Now, pursuant to S. Res. 27, the Committee on the Judiciary being tied on the question of reporting, I move to discharge the Committee on the Judiciary from further consideration of Steven M. Dettelbach, of Ohio, to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The Senator from New Jersey is recognized.

UNANIMOUS CONSENT REQUEST—S. 2340

Mr. MENENDEZ. Mr. President, I come to the floor once again today to seek unanimous consent for the passage of the Daniel Aderl Judicial Security and Privacy Act of 2021.

I say "once again" because a little over a month ago, I came to the floor seeking unanimous consent for this same exact bill, which was reported out of the Senate Judiciary Committee last December with overwhelming bipartisan support and whose namesake is Daniel Aderl, the 20-year-old son of U.S. District Court Judge Esther Salas.

Judge Salas is in the Gallery today, hoping we can come together as a body to deliver real solutions to honor her family by ensuring that no Federal judge or their family experience the same violence that she and her family faced.

Mr. President, 1 year, 10 months, and 27 days ago, her son Daniel was brutally murdered by a gunman who targeted Judge Salas for her gender, her ethnicity, and because he could not accept her judgment in a case that reached her court. Every single day since July 19, 2020, Judge Salas and her husband Mark have endured the immense grief of burying their only son.

No parent should have to experience such a devastating loss. Yet, in the face of so much pain, Judge Salas has channeled this into purpose, embarking on a personal mission to increase the safety and privacy of her fellow judges and their families.

The murderer was able to carry out this horrific hate crime using publicly available information, tracking down Judge Salas to her home in New Jersey, gravely injuring her husband, and murdering Daniel in cold blood when he answered the door.

As I said the last time I came to the floor seeking unanimous consent, no parent should have to experience such a devastating loss. But in the months since then and now, our country has seen the tragic results of inaction. On June 4, a retired county judge in Wisconsin was shot and killed in his home by a gunman who appeared before his court, and just 4 days later, a man was arrested near Justice Kavanaugh's home in Maryland after being found with a gun, a knife, and a plan to kill the Supreme Court Justice. Reports suggest the perpetrator found Justice Kavanaugh's address online.

We cannot take these events as isolated incidents. The brutal murder of Judge Salas's son, a horrific killing of a retired county judge in Wisconsin, and the attempt on Justice Kavanaugh's life, demand that Congress act to protect those who sit on the judiciary. Simply put, we must prevent any other judge from having to endure the threats and senseless violence that these families have experienced.

After the horrific tragedy Judge Salas and Mark suffered, Senator BOOKER and I made personal commitments to honor Daniel's legacy through action. We told her we would not rest until we enacted greater protections for those who serve on the bench to protect any other judge from having to endure the senseless violence Judge Salas experienced.

And it is important to protect this branch of our government because we want them to render decisions that are free from fear—free from fear—that they will render impartial justice free from fear of what may happen to them as a result of their judgment. We can make progress on that work today in this Chamber.

The bipartisan bill I seek unanimous consent for is an effort I am proud to lead with 12 of my colleagues, including Senators BOOKER, DURBIN, GRAHAM, KENNEDY, CRUZ, and GRASSLEY. Our bill will protect the personally identifiable information that assailants have used

to target judges and their families. It is a commonsense measure that would authorize the U.S. Marshal Service to monitor online threats and deter future attacks. It is so common sense that it was voted out of the Judiciary Committee with strong bipartisan support. I am talking about a 21-to-0 vote in the affirmative. It is so common sense that it should build on the work the Senate just did a month ago when it fast-tracked important safeguards for Supreme Court Justices and their families.

I will say it again. Nearly a month ago, the Senate acted here in mere minutes to increase protections for Supreme Court Justices—protections that were proven to be necessary when police apprehended Judge Kavanaugh's would-be assailant.

Yesterday, our colleagues in the House of Representatives voted to pass that bill. Today, we should take steps to protect all Federal judges. There is simply no explanation or justification to protect Supreme Court Justices while delaying legislation to protect judges at every level of the judiciary who face the same, if not greater, risks.

No judge in America should have to fear for their lives and the safety of their family as they work to uphold the Constitution, our democracy, and ensure all people have equal justice under the law. We have seen the consequences of inaction over the previous month. But we have an opportunity to act in this moment and advance our bipartisan bill, the Daniel Aderl Judicial Security and Privacy Act, which has continued to garner support.

This isn't a partisan issue. This bill is not about right or left; it is about right and wrong.

Once again, I ask my Senate colleagues to let us honor the life and memory of Daniel Aderl with decisive action and results. Let's do the right thing to honor Daniel's legacy and unanimously pass this legislation named after him.

Mr. DURBIN. Mr. President, I rise today to speak about the need for the Senate to act to protect Federal judges.

In the past few years, the growing use of political violence has endangered elected officials, police officers, flight attendants, school board members, election workers, and judges. We all must condemn all violence and threats of violence against public officials in the strongest possible terms, regardless of whether it comes from the right or the left.

Last week, news broke that an armed man was arrested near the home of Supreme Court Justice Brett Kavanaugh. This man made it clear to law enforcement that he desired to kill Justice Kavanaugh. Importantly, court documents showed that the gunman outside Justice Kavanaugh's home said he found the address online.

This week, the House approved a bill that unanimously passed the Senate

last month and would give the Supreme Court Police greater discretion to protect the Justices' families. I am glad that this important legislation is headed to President Biden's desk.

But it has been over 6 months since the Judiciary Committee unanimously reported the Daniel Aderl Judicial Security and Privacy Act. This bill was first introduced by Senators MENENDEZ and BOOKER in response to a tragic incident in which a disgruntled litigant found the home address of Judge Esther Salas on the internet, went to her house, and shot and killed her son.

The bill is directly responsive to the threats that Federal judges face, including the threat to Justice Kavanaugh. It would allow judges to safeguard their personal information from being posted on the internet and would empower the judiciary to monitor online threats. We have tried to pass this bill in the past, and it has been blocked by at least one Republican Senator. The bill's sponsors have negotiated changes to address these concerns, and I am hopeful that Republican objection will be lifted today.

The threat to Justice Kavanaugh and the tragic death of Daniel Aderl underscore the need to pass this bipartisan bill quickly and get it signed into law so we can protect all Federal judges and their families.

Mr. MENENDEZ. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 190, S. 2340; further, that the committee-reported substitute amendment be withdrawn; that the Menendez substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, for a year and a half, we have been offering my colleague a compromise in the passage of this bill. We could pass this bill today, immediately. All we have been asking is that it not only protect Federal judges but protect Members of Congress as well. I haven't heard a cogent or even any argument for why it couldn't.

It is a very simple compromise. To pass things unanimously takes compromise. It takes people coming together and people agreeing. But there hasn't been any movement; there hasn't been any compromise; and I am still open. We can pass this today to include Members of Congress.

If recent years have taught us anything, it is that members of the legislative branch need protection as well as those in the judiciary. That was clear in 2011 when Congresswoman Gabby Giffords was tragically shot while she was doing the most important part of her job—meeting with constituents.

Words cannot express how happy and inspired I was to see that Congresswoman Giffords was in the Chamber with her husband, Senator KELLY, when he was sworn in as a Member of this body. Well, words also cannot express the pain felt by the families of the people who were killed that day and wounded. That should have been a wake-up call to protect Members of Congress and, in doing so, to better protect the people around them.

Yet, just a few years later, a shooter nearly killed Congressman STEVE SCALISE during a practice for the charity baseball game. I was there. A young man was shot 10 feet from me. I said at the time that our lives were saved by the Capitol Police. Had they not been there, things could have been much worse.

Extending the provisions of this bill to Members of Congress would better protect us and our families and our constituents. I have been offering this for 2 years. My amendment, which I will offer through unanimous consent, simply extends the same protections that it would offer to the judicial branch to the legislative branch.

This is not a new request. In December of 2020, when we discussed this bill on the floor, I offered this compromise. I said I would work together with the other side to try to get a bill that we could pass. But we haven't gotten anywhere. If we want this to pass, let's compromise. Let's come together and figure out a way that we can get this to pass.

I know of no argument or no constituency that is coming to Washington, saying: We don't want Members of Congress to be protected. There is no such constituency. There is no such argument, and there is no reason we couldn't pass this today. It has been almost 2 years. Let's pass this bill today. As I have said over and over again, I support this bill and the provisions, and I don't believe it ought to be blocked merely because Members of Congress also need protection.

With that being said, I ask unanimous consent that the Senator modify his request to include my amendment to the Menendez substitute amendment, which is at the desk; that the amendments be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection to the modification?

The Senator from New Jersey.

Mr. BOOKER. Mr. President, in reserving the right to object, I think the points that the Senator from Kentucky is making are worthy. We are facing a reality right now wherein there are lots of threats that are increasing against public officials all around our country, and I understand that.

This is not a bill that Senator MENENDEZ and I just wrote and brought to the floor. This is a bill that we worked through the committee proc-

ess. It was a long and arduous process that was done in a bipartisan manner. During the discussion that the committee had, the point that the Senator from Kentucky brought up was brought up as well. There is a real concern about the safety and security of the Members of this body. But with the understanding and the commitment that there would be a bipartisan effort to work on this issue, every Senator on the Judiciary Committee said we should let this go for right now. This bill has been vetted; it has been worked over in a bipartisan manner; and it is ready to pass.

Threats on the Federal judiciary have gone up 500 percent. I will grant you, threats on Members of Congress have doubled, but the threats on the Federal judiciary are rising, and we saw that in the case of Justice Kavanaugh. This body thought it enough not to hold up the protection of Supreme Court Justices in order to protect the 535 of us, and we passed a bill to protect the Supreme Court Justices.

So here we now have a bill that has been vetted in committee, that has been worked on in a bipartisan fashion, and has come out, and we have a commitment. For the Senator from Kentucky to say that nothing has been done is not right. We now have Senator TED CRUZ and Senator AMY KLOBUCHAR working a bill through committee, through regular order, to make sure that we address the concerns that he is having.

This is my concern: Threats on the judiciary have gone up and are significantly higher than on this body. To grind this bill to a halt right now puts at risk members of the judiciary when we have the power in this body to protect our brothers and sisters in that branch of government.

Why would we stop when there is good will on the Judiciary Committee to work on the concerns?

There are two people who are committed to this bill, and there are verbal commitments from everyone. To stop this today creates a window of vulnerability that we know is real because we just saw a threat on a Supreme Court Justice.

For the sake of mercy, for the sake of caution, for the sake of the protection of the people in the Federal judiciary, let's pass this bill. I commit myself to joining with Senator TED CRUZ, to joining with Senator AMY KLOBUCHAR, to joining with Chairman DURBIN and with Ranking Member GRASSLEY, who have also spoken of their willingness to work a bill through regular order. That is what we should be doing.

Our job as Senators, if anything, first and foremost, is to protect the lives of American citizens. We have a bill that is widely bipartisan, that has proven to be urgent—a bill with a name of a young man who was slaughtered in his home. To hold this bill up is cruel. It is creating risk and jeopardy to people who serve in the judiciary. It is wrong. It is wrong. It is wrong.

I ask my colleague, with all humility and with all compassion and empathy, to please let this go. I commit to him that I will fight and work with the bipartisan coalition that is working on ways to protect the people in this body. I yield the floor.

The PRESIDING OFFICER. Is there an objection to the modification?

The senior Senator from New Jersey.

Mr. MENENDEZ. Mr. President, in reserving the right to object, for all of the reasons that Senator BOOKER just mentioned and with an equal commitment to Senator PAUL to work with Senator KLOBUCHAR and Senator CRUZ, who are working on a bill to protect Members and who look to advocate for the Senator's language to be included in that legislation, the Senator could have done this on the Supreme Court Justices, but he didn't.

So, at this point, I will have to object.

The PRESIDING OFFICER. Is there an objection to the original request?

The Senator from Kentucky.

Mr. PAUL. Mr. President, in reserving the right to object, we have been trying for a year and a half. Our staff has offered to meet with the opposition's staffs. We have not had one meeting. They have not accepted a meeting much less a compromise—a year and a half.

This could pass today by simply accepting this. There is a promise to do it at a later date when we have waited a year and a half? A year and a half went by because no one would meet with us. We have not had one meeting. We have offered to meet with the staffs of both of the authors of this, and we have not been granted a meeting. There has been no discussion of this between staff and no discussion of a compromise.

We would take a compromise. I don't understand. There has been no argument made today as to why Congress couldn't be added to this bill. They could have added this to the bill or talked to us over a year and a half. No one has talked to us. Other than to come for the public theater, no one has tried to get this thing passed.

I object.

The PRESIDING OFFICER. The objection is heard.

The senior Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I know the hour is late, but I am unaware of any such request, and I am unaware of our not being willing. Of course, we are willing. As a matter of fact, Judge Salas is here, and she tried to see Senator PAUL to make her case. He wouldn't give her the time of day.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I literally turned to my staff and asked: Has Senator PAUL's staff reached out to us at all?

That is not the case.

Then, to characterize us as the opposition, we are not in opposition to this bill. We are trying to protect Federal judges as is the unanimous vote of the Judiciary Committee.

So this is very frustrating that we should stop this for the Supreme Court Justices—the Senator has no objection to that—but, for some reason, not for the other members of the judiciary. I just find that problematic.

I am willing to meet with the Senator. I am not in opposition to his bill. The meeting which would be had, I will do but with the two sponsors of the bill to protect the U.S. Senate. But to hold up the protection of other fellow citizens because we are not getting protection, to me, does not mark the nobility of this body and the self-sacrifice of this body.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I yield back all time on the motion to discharge.

The PRESIDING OFFICER. All time is yielded back.

#### VOTE ON MOTION TO DISCHARGE

The question is on agreeing to the motion to discharge.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Louisiana (Mr. KENNEDY), the Senator from Alabama (Mr. TUBERVILLE), and the Senator from Mississippi (Mr. WICKER).

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 233 Ex.]

#### YEAS—52

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Cooms	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Portman	

#### NAYS—41

Barrasso	Graham	Paul
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Lankford	Shelby
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Toomey
Ernst	Moran	Young
Fischer	Murkowski	

#### NOT VOTING—7

Cramer	Kennedy	Wicker
Daines	Rounds	
Hyde-Smith	Tuberville	

The motion was agreed to.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The nomination will be placed on the calendar.

The Senator from Vermont.

Mr. LEAHY. Madam President, first, let me say that I am glad to see the successful discharge of Steven Dettelbach's nomination. I have known him since he was a detailee for the Department of Justice to the Judiciary Committee. I found him one of the hardest working, most talented, honest, and evenhanded people I knew. I was happy to support him for U.S. attorney in Ohio. I can understand why so many law enforcement organizations backed him because of his values there. I will have more to say when he is confirmed, but it is a good move.

#### NOMINATION OF BETH ROBINSON

Madam President, Vermonters are no strangers to making history, and in November 2021, one Vermonter in particular made history again: the U.S. Senate confirmed Beth Robinson to a seat on the Second Circuit Court of Appeals. She assumed her seat on that bench days later. I could not be more proud. Vermont has one seat on the Second Circuit Court of Appeals, so we always try to send our best.

Judge Robinson embodies Vermont's values: her commitment to justice and equality and her compassion for her fellow human beings. She has also proven to be an exceptional jurist, one dedicated to the rule of law above all else. There should be no doubt that she brings that same excellence to Vermont's single seat on the Second Circuit, as a successor to my dear friend, the late Judge Peter Hall.

Since Vermonters first elected me to the U.S. Senate, I have worked hard to ensure that Vermont's best and brightest represent our State on the Federal judiciary. In 2004, I recommended Judge Hall, then Vermont's U.S. Attorney and a Republican, to serve on the Second Circuit because he was the most qualified. During his 17-year tenure on the panel, Judge Hall was a fine jurist. He was fair and kind to all litigants before him, and was always humble. His passing, at just age 72, was a loss to not just Vermont, but also to the Federal judiciary at large.

In 2009, I proudly recommended Christina Reiss to be a judge for the District Court of Vermont. We have a very small district court with a State of our size. With her confirmation, Judge Reiss became the first woman to serve on the District Court of Vermont. And, like Judge Hall, she has served as a model of fairness and impartiality on the bench ever since.

Judge Robinson is a trailblazer herself. As a tireless champion for LGBTQ rights, she successfully litigated the landmark Baker v. Vermont decision, which led to Vermont becoming the first ever State to enact civil unions in the United States. Beth's advocacy served as a blueprint for the successful advancement of LGBTQ rights across the country, securing her place as one of the first pioneers in the national movement for LGBTQ rights.

Her smart and steady approach and her unimpeachable reputation won her

allies across the political spectrum in Vermont. In 2011, she was appointed by Governor Peter Shumlin to serve as a justice on the Vermont Supreme Court—that is a five-member court—a position to which she was confirmed unanimously by the Vermont Senate. She became the first openly gay Vermont Supreme Court justice, breaking yet another barrier. Now, today, Judge Robinson is the first openly gay female judge to serve in our Federal circuit courts.

While on the Vermont Supreme Court, Judge Robinson seamlessly traded her advocate's cap for that of an impartial jurist. She is a consensus builder. Her unwavering commitment to the neutral application of the law was second-to-none on the Vermont Supreme Court; it is a commitment I know she brings with her to the Second Circuit.

When I recommended to President Biden that he nominate Beth Robinson to the Second Circuit, there was such an outpouring of support from all corners of Vermont. The membership of the Vermont Supreme Court—justices appointed by both Democratic and Republican Governors—signed a strong letter of support for her nomination. They were joined by prominent Republicans and Democrats from all around the State, underscoring just how widely respected she was for her reputation as an impartial and independent jurist.

When Judge Robinson was confirmed in the Senate with bipartisan support, I celebrated. Judge Robinson is a Vermonter who has dedicated her life to the causes of justice and equality. She is a Vermonter who embodies our State's highest ideals, who brings fairness, independence, and integrity on the Second Circuit.

Next week, along the shores of Lake Champlain, friends, family, State leaders, fellow lawyers, and many more Vermonters will gather to celebrate the investiture of Vermont's newest judge on the Second Circuit. Vermonters can be assured that Judge Robinson will continue to be guided by the same principles that have brought her this far. Marcelle and I are two Vermonters who are proud that, once again, we are breaking barriers and making history, now with the investiture of Judge Beth Robinson on the Second Circuit Court of Appeals.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### STUDENT LOAN FORGIVENESS

Mr. BLUNT. Madam President, I want to talk a little bit about the whole idea of loan forgiveness, student debt forgiveness. I have spoken many times on the floor about the importance of higher education—both college education and apprenticeships and other kinds of work preparation. I was the first person in my family to ever graduate from college, and later was the president of the university. And it is important, there is no doubt about that.

I have often also talked about one of the reasons I think our system works so well is in post-World War II America, we have not tried to run higher education; we have tried to encourage and support higher education.

You could use your student benefits, whether they were student loans or VA benefits or other benefits, at any accredited institution, and the Federal Government doesn't decide what is an accredited institution.

I think the way that we have found that balance has been really important for higher education. I think it is why we have the best higher education in the world, but I think the balance is one that we ought to be thinking about maintaining.

We should be concerned when we begin to get into that balance in a way that the government does more than it should do or, frankly, less than it should do.

This is the 50th anniversary of the Pell Grant Program. I have been a big supporter of Pell grants. I know you have too.

And during the time we have worked here together, we have expanded Pell grants to year-round Pell grants. One of the great ways to keep college costs down is to finish. If you have got a pattern that is working, particularly if you are a first-time college student in your family or an adult that has gone back to school, if you have got something that is working and you can keep it working, we ought to do that.

There was about a 10-year period where we had two semesters of Pell grants and then there was a summer without Pell grants, that didn't really work out all that well. And every higher education person I know believes we did a really great thing by going back to year-round Pell.

We have also increased the Pell grant award. In fact, in the last 7 years, we have increased the annual individual award by over \$1,000—\$1,120. We have reinstated year-round Pell.

The Pell grant is targeted. It is targeted to people who need help going to school. When we were talking, I think very wrongly, about free higher education—which I think would really be expensive if you had free higher education and the government became the payer. I have said the Pell grant is really the way to adjust that.

If the Pell grant is not high enough, Congress can raise it. If the income levels are not high enough, if you had to have higher income levels or lower income levels to get the full Pell or partial Pell, Congress can do that as well.

I think the one thing that would be a mistake here would be to ask the taxpayers of America to now pay the loans off of other Americans who made those loans. The President is talking about the potential, at least the administration is, of forgiving up to \$10,000 in student loans for everyone who has a student loan and makes less than \$150,000.

You know, a lot of Americans make less than \$150,000. I think the median

family income in America today is under \$70,000, but, suddenly, for those who make under \$150,000, we would be giving them \$10,000. And what did they get for that \$10,000?

They went to school. They got an education. They had choices they made as they did that, and we will talk about that in a minute. And also the legal problems here. You know, the President has said in the past that he didn't think he had the legal authority to forgive these loans. The Speaker of the House has said in the past that she didn't think the President had the legal authority to forgive these loans.

And by the way, there is a way to get the legal authority—I will talk about that in a minute, too—coming to you and I with a proposal to give them the authority to do that.

Even the New York Times Editorial Board says that loan forgiveness is—this is their quote—“legally dubious, economically unsound, politically fraught, and educationally problematic.” Those are pretty good reasons not to do it. The best one would be the “legally dubious” one, and the President himself has thought that was the case in the past.

You know, 87 percent of Americans don't have a student loan. The President is telling them, frankly, we are going to forgive the loans for the 13 percent that the other 87 percent don't have.

People who decided not to go to college wouldn't get that \$10,000, neither would those who avoided loans by attending a more affordable school, working harder part time, doing the things that lots and lots of people have done to get through school.

The same is true of people who have gotten out of school, and as they are paying off their loans, they have sacrificed vacations or better cars or bigger houses or other things to pay the student loan that they agreed to pay back when they took it.

So the President's plan disproportionately would benefit people who are in the upper income group, the top 40 percent of American households hold 60 percent of the student loans.

The bottom 40 percent have less than 20 percent of the student loans. If you were going to talk about this at all, maybe we should be talking about the bottom 40 percent of incomes, not essentially the top 40 percent of incomes, which an across-the-board forgiveness of debt—and, by the way, that \$150,000 would generally be in that higher percent.

Student loan forgiveness under the President's plan would largely benefit people who, frankly, you could argue, just don't need the benefit as well as many other American families and American individuals do.

The Federal Reserve Bank of New York estimates that student loan forgiveness could be as much as \$320 or \$350 billion. That is on top of the \$100 billion that we already have cost the system by stepping back, maybe for

too long, but certainly stepping back during COVID, and telling people they didn't have to make their loan payments.

To put that in some perspective, that amount of money, \$320 billion and another \$100 billion, would fund the entire Pell Grant Program for about a decade and a half.

So we ought to think about what we are doing here, how we are doing it. I think this plan would actually not drive college costs down; it would logically drive college costs up because colleges, just like students, would be told, when people make these loans, pay the school for the education they are getting, there is a good chance they won't have to pay it back, and there is a good chance we would have more income during this period of time.

It is more likely that you would have higher college costs and you would have people borrowing more money and borrowing it quicker than they currently do because we actually would be setting the precedent that there is a real chance you won't have to pay this back.

That is not a good precedent to set. What Americans really need right now is relief from the crushing inflation we see, not more bad policies that put more money into the economy and drive inflation to an even greater height.

President Biden has been bragging, frankly, about how strong our economy is and how low unemployment is. Well, if that is true, why do we need to spend hundreds of billions of dollars on a program that is unfair, that disproportionately helps upper income Americans? You know, it is either the strongest job market since World War II, which the President said just recently, or he has also said that this economy is the strongest economy we have ever had.

It is either that, or it is an economy in such rough shape that people can't pay their loans. Now, it really can't be both. And we are sending all kinds of messages here we don't need to send and, frankly, I think the administration shouldn't really want to send.

People made the decision to invest in their education. They borrowed money to do it. The initial plan was that people would borrow money, and as they paid it back, that money would be available for the next generation of people who wanted to borrow money.

If that had worked out that way, we would still be working off some of the first dollars that went into these student loan payments and student loan programs.

If we say that this select special group of people who happen to have the exact kind of debt, at this exact moment, don't need to pay it back later, I think that is the more logical thing that would happen. What if we say that this group doesn't have to pay their debt so maybe we should figure out other groups shouldn't have to pay their debt?

If it is a good economic policy not to pay your student debt, what if we de-

cide we are not going to pay people's car loan debt, or we are not going to pay people's mortgage debt, or we are not going to pay people's credit card bills if they are somehow out of control?

There are ways to deal with that in the legal system, but government forgiveness is not one of them. The same arguments really apply to forgiving those debts as would apply to forgiving college debts.

If the President thinks it is a good idea, as I mentioned before, he could write a piece of legislation, hand it to one of his friends in the Congress and let us work through the process. Let's make the case as to why these debts should be forgiven.

Let's debate which other competing priority is less important than forgiving these debts. You know, we have spent a lot of time acting like the money is not money that you have to take from somewhere else to use for a current purpose. And I think we are all realizing just how untrue that is.

The President hasn't sent that legislation up. In fact, the President in his budget didn't even suggest that loan forgiveness should be part of his budget. It is not in legislation. It is not in the appropriations budget. It is not a priority in anything the administration has put out there for us to debate and talk about.

We just had a hearing this week with the Secretary of Education about the education budget request. There was nothing in that request about specific student loan proposals. I really hope that the administration will pause, will think about this, will understand the overall impact of effectively suddenly deciding we are going to put \$321 billion or so dollars back into the economy that otherwise would be coming back into the Treasury as the debt repayment that those individuals have agreed to do.

We have got ways to help people go to school. We have got ways to debate whether or not this is a good priority to forgive loans, but I take the President's original position, which is the President doesn't have the authority to do that.

I agree with the Speaker of the House's original position that the President doesn't have the authority to do this. If the President wants to make the case, let him make it right here, and that will be a debate that I think would be worth having.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO JOHN LOHRKE

Mr. SULLIVAN. Madam President, I want to thank my colleague from Missouri. And I will just mention here in the Senate his leadership on so many issues are really going to be missed. Maybe he will reconsider his decision to leave this august body, which is going to be a lot less—a lot less of an institution that thinks hard about these difficult issues when he is gone.

So I want to thank Senator BLUNT for all he has done. He is a great friend of mine, so we are going to miss him.

It is Thursday, and once again it is an opportunity for me to talk about our Alaskan of the week.

Now, I know that our pages—the new pages, they are going to really realize this is probably one of the most exciting, interesting speeches of the week. Some of our friends in the media even like it because it is end of the week. I get to brag about Alaska and talk about someone who is doing something really great for our State, maybe their community, maybe the country, maybe the world, right?

We have all kinds who do this.

I always like to talk a little bit about what is going on in Alaska first.

So it is amazing how quickly the seasons go by because it is almost summer solstice in the State. That is when the Sun rarely sets across any part of Alaska and the State is filled with life, filled with energy. You can feel it when you come up. Hopefully, we get a lot of tourists this summer. I know we are going to get a lot. A lot of people want to get up to Alaska, particularly after the pandemic. You can feel it in the air when you are there, this sense of energy and excitement.

So our tourists are there now. They are seeing spectacular scenery, wildlife, glaciers, our salmon-choked streams. They will be able to hike through thousands of miles of State and Federal parks, climb mountains, fly through the skies, and some are even there to watch baseball. Yes, baseball.

Now, maybe not the Braves, but still good baseball. Now, I know that is going to sound odd to some people. Now, wait a minute. Going up to Alaska to watch baseball probably isn't the first thing that comes to many people's minds when they think about Alaska.

But diehard American baseball fans know that Alaska has played a fundamental role in America's pastime. They know how important Alaska summers are and have been for decades, taking young college students with raw but exceptional talent and growing them under the midnight Sun into seasoned professional Major League Baseball players.

This is the Alaska Baseball League, one of the premiere amateur collegiate summer baseball leagues that anybody plays anywhere in America.

Let me give you just a few—and I mean a few—of those who have come up through the Alaska Baseball League. It has produced some of Major League Baseball's most well known All-Stars, including Mark McGwire, Barry Bonds, Tom Seaver, Dave Winfield, and Randy Johnson, just to name a few.

The Alaska Baseball League is sometimes composed of five teams, sometimes six—two teams in Anchorage, one in Palmer, one in Chugiak-Eagle River, one in Kenai.

And then there is a team, a very famous team, in Fairbanks—the oldest



and most storied of them all—which I am going to focus on today.

It is the Fairbanks Goldpanners; and the team's general manager, who is our Alaskan of the Week, John Lohrke, makes the baseball magic of Alaska happen.

So, first, a few words about John's background. He was raised in a baseball family. His father, Jack Lohrke—Lucky Lohrke, as baseball fans might know him—was a World War II veteran who landed on Omaha Beach 6 days after D-day, fought his way across Europe, survived many near-death experiences in combat and even back home; hence the name "Lucky."

After the military, Jack played baseball as a third baseman for the New York Giants and the Philadelphia Phillies.

After Jack Lohrke retired, his family moved to California, but, as I said, baseball is in the Lohrke family's blood.

Our Alaskan of the Week, John, had an older brother, who was drafted by the Red Sox, and John himself got into the game administratively. As a college student at Santa Clara, he began helping his college team behind the scenes.

In 1980, the Santa Clara coach was going to Alaska to coach the North Pole Nicks. John thought that that sounded great and asked if he could come. He did, he fell in love with Alaska and stayed, like so many in our State.

He managed the Nicks for 7 years, then was the president of another team, the Oilers, on Alaska's beautiful Kenai Peninsula; then it was back to the interior part of the State, where John stayed involved with baseball as a board member of the Goldpanners.

In 2016, he became president of the board, and now he is the general manager of the Goldpanners in Fairbanks, the person in charge of making it all happen. And what a responsibility and what a team and what a history and what a legacy of excellence John has been part of.

Since its founding in 1960, the Goldpanners have had over 211 players that have gone on to the major leagues. Isn't that remarkable—211 players? A pipeline into the major leagues from Fairbanks, AK. Who knew? And that doesn't include the countless others who went on to be coaches or general managers or scouts.

The current Cleveland Guardians manager played for the Goldpanners. The current pitching coach for the Red Sox is also a Goldpanner alumnus. As I mentioned, the Goldpanners are one of the premier pipelines into the major leagues.

One of the highlights of the season in Alaska, something that is happening very soon—actually, this Tuesday—is when the Goldpanners play their most famous game. It is the Midnight Sun game, and it is played every summer on the summer solstice.

The tradition of the Midnight Sun game in Fairbanks goes way, way back.

The first one of these games was played in 1906. Americans have been playing midnight baseball in Alaska well over 100 years, and now this game is famous—worldwide. It is a must-do bucket list game for baseball enthusiasts all across America. Thousands of people, many of whom come from across the globe, will gather for this game this Tuesday, as they do every summer in Fairbanks.

Now, this game is a culmination of a dizzying array of activities that occur in Fairbanks. Right now, parties, street festivals, a famed Midnight Sun Run. Fairbanks—a great city. My wife was born and raised there—is known for its spirit, generosity, and on the summer solstice weekend, that spirit explodes. I will be heading there tomorrow. I am going to partake in some of these festivities, including taking in a Goldpanners game and maybe, as I usually do, join the many runners in the Midnight Sun Run, where I have been known to bring up the rear of all the runners. We will see what happens.

But for Tuesday night's Midnight Sun game this year, the Goldpanners will be playing the San Diego Waves. The game starts at 10 p.m. in Growden Park and goes until the wee hours.

With Fairbanks just 150 miles south of the Arctic Circle, the Sun just begins to set in the north a little bit as the game gets underway but never fully goes down under the horizon, and as the game ends, the Sun is actually starting to rise again.

As one sports writer put it: "It is the stuff that baseball dreams are made of."

And it is never dark. And throughout its century-long history, artificial lights have never been used ever—not once.

John Lohrke, our Alaskan of the Week, understands how important that particular game is to the larger culture of baseball, not just to Fairbanks and the interior. He understands how important the Goldpanners team is for all of Alaska, for Fairbanks, but for baseball writ large.

Since starting in as a manager, he has put more money into the stadium to spruce it up. There are a lot of pictures of some of the great alumni there that I mentioned earlier in my remarks. He is constantly in touch with members of the business community who help sponsor and support the team.

He is in charge of getting housing for the 24-member team and the coaches, many of whom are talented athletes who come up to Alaska from the lower 48 for the summer.

He is in charge of transportation needs. He is in charge of the vendors and ticket sales and the beer garden. He is in charge of making all of this run smoothly for Fairbanks, for the team he loves, and for the love of baseball.

"I love Fairbanks," he said. "And I love baseball. It's in my blood," and this is where it happens.

So thanks to all the Goldpanner players and the community that sup-

ports the team. Thank you, John, for all you do to make it happen to bring us together to keep baseball alive. Congratulations for being our Alaskan of the Week.

(Mr. WARNOCK assumed the Chair.)

#### TRIBUTE TO LIZ BANICKI

Mr. President, I just talked about our Alaskan of the Week. I am going to mention another Alaskan who deserves really, really great praise. It is with a heavy heart that this week Team Sullivan will be losing a critical member of our staff in the wonderful staffer Liz Banicki, who is moving on to the private sector to help veterans, a group she has worked tirelessly for during her time in my office.

Liz is from Eagle River, AK. She is a Chugiak High School graduate. She graduated from the University of Portland with a degree in political science and German studies. She received two Fulbrights to study, first in Germany and then Austria, but her heart has always remained in Alaska.

She interned for the late, great Congressman Don Young before joining my campaign in 2014, my first election. She did a great job. Then she came to Washington with my team, and she is a member of what we call in our office the OG—been there from the beginning.

Liz's story is a story of success, and it has been an honor to watch her hard work and all she has done for me, my team, and most importantly, Alaskans.

She began with focusing on veterans and then expanded her role to take on foreign policy and homeland security and trade and fisheries.

In the process, she became one of the most impressive staffers in the whole U.S. Senate—I am a little biased, but I think it is true—on all of these diverse issues. It is a marvel listening to her explain, for example, fish import trade codes—so many of which she knows by heart.

She also understands and has worked the power of networking that has helped her do her job so well. She knows countless people in think tanks, the private sector back home, in embassies, and in the White House; and that has helped her get the job done for Alaska.

That is Liz's ethos: Getting the job done.

Now, we all know these jobs take a lot of hours. Liz puts in those hours. I can't tell you how many nights I have left the office 9:30, 10 p.m., and I will walk past Liz's office—she is still there working in front of her computer, on the phone, making sure our veterans get the help they need; working on banning Russian fish from being imported to the U.S.; assisting refugees trying to get out of Afghanistan, which she worked tirelessly on; working on my bill to deter China from invading Taiwan—I could go on and on and on.

Now, we all know, having staff, they will push back on occasion when they don't agree with the direction of their boss. It is something that can be difficult but necessary. And I don't think

that anybody would accuse Liz of being shy from pushing back. She knows her mind, and she speaks it, and she has done an exceptional job in my office; and most importantly, she has helped thousands and thousands of Alaskans.

So I just want to thank her for her dedication to her State, her country, and to our office. We are going to miss her very much.

Good luck, Liz. You will always be a part of "Team Sullivan."

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

HONORING OUR PACT ACT OF 2021

Mr. CARPER. Mr. President, I rise today in support of a piece of legislation with a very long name: the Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, also known as the PACT Act—P-A-C-T, PACT Act.

This historic legislation will improve and expand access to VA healthcare to our Nation's veterans, including upwards of 3½ million post-9/11 veterans. It is going to save lives.

Let me say that again. It is going to save lives and, hopefully, a lot of them. It is going to better ensure that our Nation lives up to the promise from President Lincoln's second inaugural address. You recall, he said "to care for those who have borne the battle"—to care for those who have borne the battle.

During his first State of the Union earlier this year, President Biden called on Congress to prioritize taking care of our veterans who were exposed to burn pits and other toxic materials while serving overseas in a number of theaters, Iraq and Afghanistan among them.

Today, I am proud to say that Congress has answered that call, as well as the call of our Nation's veterans service organizations, affectionately known as our VSOs. Those VSOs, veterans' advocates, and military families, many of whom have lost their loved ones, have organized and fought for this bill for years.

President Biden likes to say "all politics is personal." He also says that all diplomacy is personal. I think he is right on both accounts.

This issue is personal for our President, and it is personal for me as well as it is for hundreds of thousands of other American families. MAJ Beau Biden, Delaware's former attorney general, served in the Delaware National Guard for more than a decade, including a yearlong deployment to Iraq on Active Duty.

I was privileged to have served as the commander-in-chief of the Delaware National Guard for 8 years during my time as Governor, and I have enormous respect for the men and women who serve today and have served in the Delaware National Guard.

Over the past two decades, I have attended countless deployment ceremonies in New Castle County, and

Dover as well, for our soldiers, airmen, and their families and also assemblies when we welcomed them home, safe and sound.

Like many military parents at these sendoffs and welcome-home ceremonies, the Bidens did not know when their son would return. They didn't know for sure if he was going to make it back when our Nation sent him off to Iraq. I believe it was in late 2008. And they did not know, even if their son did make it back, whether he would carry with him the physical and emotional wounds of war that we sometimes can sustain.

As it turned out, Beau Biden, a young man I had known ever since he was a little kid, appeared to make it home back to Delaware healthy and whole at the completion of his tour in 2009.

I didn't know it at the time, but Beau and his unit spent several months at a place called Camp Victory and Joint Base Balad in the shadows of toxic burn pits that operated for 24 hours a day.

Several years later, in 2015, at the age of 46, Beau Biden would pass away after battling aggressive brain cancer. We couldn't prove it then, and to be totally honest, we can't prove it absolutely today; but the sudden onset of terminal cancer may well have been the result of toxic exposure while he was serving overseas.

This story is all too common amongst veterans of the post-9/11 generation, including SFC Heath Robinson, for whom this bill is named. A member of the Ohio Army National Guard, Sergeant First Class Robinson was deployed to Kosovo, where he experienced prolonged exposure to burn pits.

Before I go any further, let me just take a moment to describe what a burn pit is. Burn pits are large areas of land—oftentimes bigger than a football field—that are used to burn a number of things including trash and other waste products at military installations overseas. The waste is oftentimes soaked in jet fuel and then set ablaze in open-air burn pits, releasing toxins into the air in the surrounding area.

Waste burned in these pits includes chemicals, includes paint, includes medical and human waste, includes metal and aluminum cans, plastic, rubber, ammunition, just to name a few of the things. Exposure to the smoke that resulted from these burn pits often caused servicemembers to experience burning of their eyes or throat, as well as difficulty in breathing, and rashes, too. The toxic smoke could be contaminated with lead; it could be contaminated with mercury and irritant gases that could negatively impact an individual's lungs, liver, and stomach.

As many as 3½ million servicemembers, including Sergeant First Class Robinson, were exposed to toxic burn pits while serving in Iraq or Afghanistan or some other country.

After his service, Sergeant First Class Robinson was diagnosed with a

rare autoimmune disorder and stage IV—stage IV—lung cancer. His oncologist said that the rare stage IV cancer that he had been diagnosed with could only have been caused by prolonged toxic exposure. And yet, for years, healthy, young veterans like Sergeant First Class Robinson have continued to contract rare cancers and diseases. They then come home, only to fight a new battle: a battle that involves endless paperwork and claims, all to prove a service connection that almost certainly did exist or does exist.

Sergeant First Class Robinson died last year. He left behind a wife, Danielle, and a daughter who at the time was 6 years old. Her name is Brielle.

Brielle actually wrote a note to me, not in cursive but printed, and it looks like it was printed with a crayon. Here is what the note essentially says: "Vote yes to my Dad's bill"—or vote yes for my Dad's bill.

Well, Brielle, if you are at home and watching this today, I want you to know that I am going to take your advice, and I have taken your advice. And I hope one day to meet you and your mom. And thank you for being involved in a very good cause and for sharing your Dad with all of us.

Please know that your dad's service was a gift to our country and that the bill—the piece of legislation that bears your father's name—is going to make a positive difference not for a few people, not for a few military families, but literally for millions of military families.

My own generation of Vietnam veterans had a similar experience to toxic exposures as the post 9/11-generation of veterans. I have been privileged to serve our country in my State in many different roles, but there is no greater privilege than serving in the U.S. Navy and Naval Reserve for a total of 23 years after the Reserve duty.

After graduating from Ohio State right at the height of the Vietnam war in 1968 on a Navy ROTC scholarship, I would later serve three tours on Active Duty in Southeast Asia during the Vietnam war as a Naval flight officer. My squadron, a unit of the Seventh Fleet, flew a wide variety of missions, including low-level surveillance operations off the coast of Vietnam and Cambodia, searching for, among other things, infiltrator trawlers disguised as fishing boats attempting to resupply the Viet Cong in their efforts to overthrow our ally, the government of South Vietnam.

Following my time on Active Duty, I spent another 18 years as a Navy P-3 Aircraft mission commander in the Naval Reserves. Barely a month after flying my last P-3 mission in the summer of 1991 and retiring as a Navy captain, I led, at the behest of then-President George Herbert Walker Bush, I led—I was privileged to lead—a bipartisan, six-Member congressional delegation of Vietnam veterans back to Southeast Asia.

Among our six Members was Congressman Pete Peterson, a former Air



Force pilot who was shot down over North Vietnam and spent years as a POW in the "Hanoi Hilton." He later would become the U.S. Ambassador to a united Vietnam.

The six of us went to Vietnam because veterans service organizations were convinced—because they were convinced that hundreds, maybe thousands, of MIAs, missing in action, from the Vietnam war were being held in captivity in that part of the world. We believed that their families deserved to know for sure, with certainty, to have closure in finding out what happened to their loved ones whose bodies were never recovered.

Like many of my colleagues, I come from a military family. My family knows what it is like to lose a loved one to war. My mother's youngest brother, my Uncle Bob, Robert Kidd Patton, died in 1944 at the age of 19 during a kamikaze attack on his aircraft carrier in the western Pacific.

My grandmother is a Gold Star mother. My Uncle Bob's body was never recovered or returned home to the country he served. My family never knew what it meant to have, really, a sense of closure or finality. They never gave up. My grandma never gave up on him coming home someday. He never did.

So it means something to families like mine for our government to heed that moral obligation and stand up for military families still waiting to see their son or daughter brought home and brought home safely. It is that moral obligation to our MIAs and their families who led us to travel back to Vietnam in 1991, when we brought with us—and actually presented to the new leader of united Vietnam—we brought with us a road map from President George Herbert Walker Bush to normalize relations with Vietnam.

Among other things, the road map first called on the Vietnamese, who were meticulous recordkeepers—meticulous recordkeepers—to provide access to Vietnam's war museum records as well as to its archives so that our investigators might be able to search for clues to help resolve the mysteries of our MIAs' disappearance.

With the strong encouragement of our six-Member delegation and the tireless efforts of two Members of this body, Senator John McCain and Senator John Kerry, the Vietnamese decided to take this step, and telecommunications were restored between our two countries—and, later, a full diplomatic relations.

That same moral obligation that led us to make progress in Vietnam leads us here today. Our moral obligation extends beyond providing closure to families of the fallen. It extends to the veterans and families who need healthcare, who are still dealing with the wounds of war—both visible and invisible—long after they leave the battlefield.

The same year we traveled to Vietnam, Congress came together and

passed the Agent Orange Act to care for the hundreds of thousands of Vietnam veterans who were exposed to that toxic herbicide in Southeast Asia during the Vietnam war.

I believe that many of us would agree it took too long—far too long—for that bill to be enacted. Finally, after too many heart and nervous system complications, deadly cancer diagnoses, and even birth defects in the children of Vietnam veterans, Congress did the right thing.

The bill before us today also took too long to be enacted. Today, Congress has once again done the right thing. As I mentioned earlier, over the last two decades, throughout Iraq and Afghanistan, too many of our veterans lived and worked alongside these massive toxic burn pits that I talked about earlier.

Hundreds of thousands of square feet of open-air disposal sites where plastics and jet fuel, chemicals and human waste, were burned daily producing toxic black plumes and bringing harmful chemicals into the lungs of unsuspecting servicemembers. The time has come to take care of these veterans—those who have borne the battle.

This legislation, the PACT Act, will enhance and expand VA healthcare and benefits for toxic-exposed veterans. Specifically, this bill will provide VA healthcare to the estimated 3½ million post-9/11 veterans who have experienced toxic exposures.

This bill establishes a presumption of service connection for 23 conditions that are related to toxic exposures and improves the process by which the VA may add presumptions in the future. Additionally, the bill will expand VA research on toxic exposure. It will provide toxic exposure screenings at appointments, and it will provide additional training to VA healthcare workers and benefits personnel.

I have spent a considerable amount of time discussing the importance of this bill. Others have been here today before me and earlier this week. I am proud to have supported it. I know my colleagues feel the same way. Having said that, I also believe that we may have missed an opportunity to consider some amendments that would have improved the bill and, importantly, would have paid for its considerable pricetag.

In addition to being a recovering Governor—my colleagues have different names to describe me; a lot of them call me a recovering Governor, and I am a recovering Governor—I am also a recovering State treasurer of Florida. I have long believed that, if something is worth doing, then it is worth paying for. I will say that again. If things are worth doing, they are worth paying for. I understand that taking care of our veterans is a cost of war, but these costs should be paid for.

That is why I filed an amendment to have the Department of Defense identify savings to pay for the cost of this bill.

I also filed amendments that address Albert Einstein's definition of "insanity." Einstein is famous for saying many things, but one of those is with regard to insanity. He describes insanity as "doing the same thing over and over again and expecting a different result."

What does that mean?

In this instance, it means that, if servicemembers are repeatedly being exposed to toxic chemicals across new generations, we have to do something on the front end to reduce toxic exposures instead of always playing catch-up decades later as we are doing now.

That is why we should be giving the Department of Defense the tools it needs to track toxic exposures more closely. Our servicemembers deserve the ability to report toxic exposures in realtime and to be protected from them. I believe these commonsense ideas may actually provide long-term savings for the taxpayer and will lead to healthier outcomes for our veterans.

Finally, while we are not offsetting the cost of this legislation today, it does not mean that we shouldn't provide vigorous oversight of this new funding. That is why I filed another amendment to enhance the requirement that the Secretary of Veterans Affairs provide annual spending plans to Congress as well as to require both the VA inspector general and the Government Accountability Office to report to Congress on implementation—an important step.

My hope is that one or maybe all of these ideas could be included in future legislation later this year, and I look forward to working with our colleagues on improving this important bill as we move forward.

In having said that, let me close by just reiterating what I said at the beginning. This is a historic bill for our Nation's veterans. It does right by an entire generation of veterans who have defended our Nation over the past two decades. It is going to bring millions of new veterans into the VA for their healthcare, including mental health care. These new benefits, which our veterans earned through their service to our Nation, are going to make a real difference for our veterans and their families.

As the last serving Vietnam veteran now serving in the U.S. Senate, I am proud to have supported this bill.

I want to thank and commend our colleagues who lead the Senate's Veterans' Affairs Committee—Senator TESTER and Senator MORAN—and their staffs and others for working together to shepherd this bipartisan bill through the legislative process.

I want to thank our veterans service organizations—those VSOs I mentioned earlier—and the countless advocates who helped to make this legislation possible.

I want to thank the young lady who wrote this note. She was kind enough to send it to me and to encourage me to support this legislation named after her father.

With that, I look forward to the President of the United States signing the PACT Act into law very soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### EXECUTIVE CALENDAR

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 973, 974, and 997; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Jaime E. Lizarraga, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2027; Mark Toshiro Uyeda, of California, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2023; and Naz Durakoglu, of New Jersey, to be an Assistant Secretary of State (Legislative Affairs) en bloc?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### MORNING BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. DURBIN. Mr. President, I ask unanimous consent to print the following letter in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

*To the Secretary of the Senate:*

PN1975, the nomination of Steven M. Dettelbach, of Ohio, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, having been referred to the Committee on the Judiciary, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 11 ayes to 11 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution.

DICK DURBIN

#### JUNETEENTH

Mr. CARDIN. Mr. President, this Sunday, we commemorate the 157th Juneteenth, a portmanteau of June and the nineteenth, which celebrates the liberation of the last remaining enslaved Black Americans at the end of the Civil War. This is our newest Federal holiday, which we will observe on Monday, but African-American communities have celebrated Juneteenth as Emancipation Day, Jubilee Day, or Black Independence Day as far back as 1886 in Texas.

On this date in 1865, U.S. Army Major General Gordon Granger arrived at a Confederate outpost in Galveston, TX, where he delivered the news of Abraham Lincoln's Emancipation Proclamation to 250,000 still-enslaved Texans. Many United States Colored Troops—USCT—who fought for freedom and to preserve the Union, accompanied Granger. Lincoln had issued the Emancipation Proclamation, which granted Black Americans their freedom, 2 years earlier. Robert E. Lee had surrendered to U.S. Army Lt. General Ulysses Grant 2 months earlier at Appomattox.

In my home State of Maryland, abolitionists Frederick Douglass and Harriet Tubman paved the way for future civil rights activists by risking their lives to help bring enslaved people to freedom. Their work has had a profound impact on our community and on Maryland's rich cultural history.

African-American history is American history. We all must learn the lessons of Juneteenth and understand how our lives have been changed because of it. We cannot celebrate the freedoms brought forth on Juneteenth without acknowledging there was slavery in the United States of America. Slavery is a part of American history. The Constitution originally protected slavery through the fugitive slave clause and three-fifths clause.

We cannot and should not hide from these facts or try to erase them from our history books or suppress them in our classrooms.

In Maryland, we often look to the work of Justice Thurgood Marshall, who spent his life fighting for the rights of Black Americans and trying to reverse systemic discrimination. Marshall, arguing before the Supreme Court in *Brown v. Board of Education* and later serving as the first African-American Associate Justice on the Court, set a precedent for future generations of Black men and women that even the highest honors are within their reach. The Senate recently confirmed Ketanji Brown Jackson to be the first Black woman on the Supreme Court.

While Thurgood Marshall was an inspiration, his work of reversing sys-

temic racism is far from complete. It is our responsibility as a Nation to continue the work Justice Marshall and activists like him started. Though we have made progress, the fight for racial justice will never be complete until we have achieved equitable treatment for people of all races and can truly guarantee equality of opportunity. The pursuit of racial justice will ensure that we live up to our Nation's promise of equality for all people, regardless of the color of their skin.

Countering systemic racism and advancing racial justice should be a daily occurrence. We must learn from our past, actively challenge our own prejudices, and take conscious steps to dismantle the racist structures embedded in our society.

On President Biden's first day in office, he signed an Executive order entitled "Advancing Racial Equity and Support from Underserved Communities Through the Federal Government." The President directed Federal Agencies to assess how their programs and policies might be perpetuating systemic barriers to opportunity and to propose Equity Action Plans that contain specific Agency commitments to redress inequities and promote equitable outcomes in communities.

The Biden-Harris administration has already taken numerous steps to expand opportunities for African-Americans. The Bipartisan Infrastructure Law permanently reauthorizes the Minority Business Development Agency for the first time and enhances its authority. The administration has stepped up its efforts to combat racial discrimination in the housing market and to help African-Americans get fair treatment when it comes to staying in their homes and on their farms and receiving disaster assistance after tragedy strikes.

In particular, as the pandemic exacerbated preexisting racial disparities, the administration took strong steps to improve outcomes for African-Americans with respect to education, healthcare, and transportation.

As we commemorate this historic holiday, I encourage all Americans to reflect on the many lessons of the story of Juneteenth and commit ourselves to the pursuit of racial justice and reconciliation. If we do that, individually and collectively, Juneteenth truly will become a Jubilee.

#### ADDITIONAL STATEMENTS

##### REMEMBERING VERYL SWITZER

• Mr. MARSHALL. Mr. President, I rise today to honor and recognize the life of Mr. Veryl Switzer of Nicodemus, KS.

I stand before you today to mourn the loss of a Kansas State University great, Veryl Switzer. While many may know of Veryl through his football career, his legacy and impact on the University extend far past the gridiron. He